

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61619 of 2023

Arising Out of PS. Case No.-645 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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IDRISH MIAN Son of Late Adalat Mian R/o vill - Lohar Toli Singhiya
Singhiya Hiban Pakadiya, P.S. - Banjariya, Distt. - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chanda Khatoon D/o Late Abdul Salam R/o vill - Belbanwa, P.S. - Motihari Town, Distt. - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Ms.Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 29-02-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Complaint case no. C-645 of 2022, disclosing offences punishable under Sections 498(A), 323, 504 of the Indian Penal Code.
3. The prosecution story, as per the complaint petition, is that the marriage of the complainant was solemnized with the petitioner in the year 2008 in accordance with Muslim customs. Thereafter, she started residing in her matrimonial home. It is further alleged that after sometime, the petitioner and others started demanding dowry and due to non-fulfillment of



the demand, complainant was tortured physically and mentally and on 02.01.2022, the complainant was also assaulted. The complainant has also stated that it was her second marriage with the petitioner and she was blessed with two children from her first husband.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case in order to extort money. Learned Counsel further submits that petitioner never married with the complainant and complainant was already a married lady having two children from her first husband. He also submits that the allegation against the petitioner and others is general and omnibus in nature.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that allegation against the petitioner is general and omnibus in nature and despite service of notice, no body appears on behalf of opposite party no. 2, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within four weeks, be



released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st class, Motihari, East Champaran in connection with complaint case no. C-645 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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